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Attorneys for David R. Hagen,  
 Chapter 7 Trustee

**UNITED STATES BANKRUPTCY APPELLATE PANEL  
 OF THE NINTH CIRCUIT**

In re  
 MERIDIAN HEALTH CARE  
 MANAGEMENT,  
 Debtor.

BAP Nos. CC-09-1021  
 CC-09-1022  
 Bk. No. 1:06-bk-10733-GM  
 Adv. No. 1:07-ap-01186-GM

DAVID R. HAGEN, Chapter 7 Trustee  
 Appellant

**STIPULATION RE DISMISSAL OF  
 APPEALS UPON APPROVAL OF  
 COMPROMISE**

v.

SCOTT HILINSKI; NAUTIC PARTNERS  
 LLC; CHISHOLM PARTNERS IV, LP;  
 FLEET EQUITY PARTNERS VI, LP; FLEET  
 VENTURE RESOURCES, INC.; KENNEDY  
 PLAZA PARTNERS II, LLC;  
 Appellees.

It Is Hereby Stipulated, by and between the parties hereto, through their respective  
 counsel, as follows:

1. On April 28, 2009, this Court entered its Clerk's Order re Prosecution of Appeals  
 ("Prosecution Order").

2. The compromise made the subject of the Prosecution Order duly came on for  
 hearing before the bankruptcy court on May 27, 2009, where it was approved. An Order  
 approving said compromise was entered by the bankruptcy court on June 3, 2009.

1           3.       Consequently, the parties hereto respectfully request that the Court dismiss the  
2 within appeals with prejudice, all parties bearing their own fees and costs.

3  
4 Dated: June 19, 2009

EZRA BRUTZKUS GUBNER LLP

5  
6 By: /s/ Steven T. Gubner

Steven T. Gubner

7 Attorneys for David R. Hagen, Chapter 7 Trustee  
8 and Appellant

9  
10 Dated: June 11, 2009

DLA PIPER US LLP

11  
12 By: 

Joshua M. Briones

Anahit Tagvoryan

13 Attorneys for Nautic Partners, LLC; Chisholm  
14 Partners IV, LLP; Fleet Equity Partners VI, L.P.;  
15 Fleet Venture Resources, Inc.; Kennedy Plaza  
Partners II, LLC, Appellees

16 Dated: June 11, 2009

NUTTER McLENNEN & FISH LLP

Jonathon L. Kotler, Esq.

18 BIRD MARELLA BOXER WOLPET NESSIM  
19 DROONKS & LINCENBERG

20  
21 By: 

John K. Rubiner

22 Attorneys for Scott Hilinski, Appellee

23  
24 131941

## PROOF OF SERVICE

At the time of service I was over 18 years of age and not a party to this action. My business address is 21650 Oxnard Street, Suite 500 Woodland Hills, CA 91367.

On June 19, 2009, I served the following documents described as **STIPULATION RE DISMISSAL OF APPEALS UPON APPROVAL OF COMPROMISE** on the persons listed below:

**SEE ATTACHED LIST**

☒ **By United States mail:** I enclosed the documents in a sealed envelope or package addressed to the persons at the addresses listed above and placed the envelope for collection and mailing, following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid. I am a resident or employed in the county where the mailing occurred. The envelope or package was placed in the mail at Woodland Hills, CA.


☐ **By overnight delivery:** I enclosed the documents in an envelope or package provided by an overnight delivery carrier and addressed to the persons at the addresses listed above. I placed the envelope or package for collection and overnight delivery at an office or a regularly utilized drop box of the overnight delivery carrier.

☐ **By fax transmission:** Based on an agreement of the parties to accept service by fax transmission, I faxed the documents to the persons at the fax numbers listed above. No error was reported by the fax machine that I used. A copy of the record of the fax transmission, which I printed out, is attached.

☐ **By e-mail or electronic transmission:** Based on a court order or an agreement of the parties to accept service by e-mail or electronic transmission, I caused the documents to be sent to the persons at the e-mail addresses listed above. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

I declare that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

Executed on June 19, 2009, at Woodland Hills, CA.

  
Jennifer Long

**SERVICE LIST**  
**BAP CASE NOS. CC-09-1021; CC-09-1022**

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